Harvard International Law Journal
Title Index—Volume 26

Articles

Abandoning Restrictive Sovereign Immunity: An Analysis in Terms of Jurisdiction to Prescribe. *Michael Singer* 1

The Approach of the Different Drummer: The Principle of the Persistent Objector in International Law. *Ted L. Stein* 457

Critical Comparisons: Re-thinking Comparative Law. *Günter Frankenberg* 411

Do Rules Say What They Do? From Ordinary Language to International Law. *Nicholas Onuf* 385

Ideals and Things: International Legal Scholarship and the Prison-house of Language. *James Boyle* 327

International Legal Education. *David Kennedy* 361

Logic, Myth, and the International Economic Order. *Daniel K. Tarullo* 533

Selling Satellites: The Commercialization of LANDSAT. *Christopher C. Joyner and Douglas R. Miller* 63

Toward a Reformulation of International Refugee Law. *Jack I. Garvey* 483

The Trading Nation's Dilemma: The Functions of the Law of International Trade. *Kenneth W. Abbott* 501

Comments

Challenging Covert War: The Politics of the Political Question Doctrine. *David Cole* 155

Defining a Sovereign for Immunity Purposes: Proposals to Amend the International Law Association Draft Convention. *Gabe S. Varges* 103

Developments

Antitrust Law: Commission of the European Communities Suspends Proceedings Against International Business Machines Corporation—3 Common Mkt. L.R. 147 (1984) 109

Conflict of Laws: Discovery Abroad Under Provisions of the Hague Convention—*Laker Airways Ltd. v. Pan Am World Airways, et al.*, Nos. 82-3362, 83-0416, 83-2791 (D.D.C. June 26, 1984), *reprinted in* 23 I.L.M. 748 (1984) 201

Constitutional Law: United States Takings Abroad—*Ramirez de Arellano v. Weinberger*, 745 F.2d 1500 (D.C. Cir. 1984), *petition for cert. filed*, 53 U.S.L.W. 3671 (U.S. Mar. 4, 1985) (No. 85-1398) ... 553

Dual Nationality—*Decision concerning the Question of Jurisdiction over Claims with Dual Nationality*, Iran-United States Claims Tribunal, Case No. A/18, Apr. 6, 1984, *reprinted in* 23 I.L.M. 489 (1984) 208

European Court of Justice: Paris Bar Rule Violates Right of Establishment—*Ordre des Avocats Barreau de Paris v. Rechtsanwalt Otto Klopp*, 1985 Common Mkt. L.R. 99 562

Executive Authority: Restriction of Travel to Cuba—*Regan v. Wald*, 104 S. Ct. 3026 (1984) 217
Extraterritoriality—*AVC Nederland B.V. v. Atrium Investment Partnership*, 740 F.2d 149 (2d Cir. 1984); *United States v. Bank of Nova Scotia*, 740 F.2d 817 (11th Cir. 1984) 569
Extraterritoriality: Australian Limitations on Foreign Judgments and Discovery—*Foreign Proceedings (Excess of Jurisdiction) Act*, No. 3, Austl. Acts (1984) 578
Humanitarian Intervention, Nationality and the Rights of Refugees—*Operation Moses: The Israeli Airlift of Ethiopian Jews*, Nov. 1984–Jan. 1985 585
Human Rights: Jurisdiction over Foreign States under the Alien Tort Claims Act—*Siderman v. Argentina*, No. CV 82-1772-RMT (D. Cent. Cal. Mar. 7, 1985) (available Apr. 1, 1985, on LEXIS) 594
Immigration Law: Political Asylum for Deportable Aliens—*Immigration and Naturalization Service v. Stevic*, 104 S. Ct. 2480 (1984) 225
Internal Security: Establishment of Canadian Security Intelligence Service—*Canadian Security Intelligence Act*, ch. 21, 1984, Can. Stat. ____ 234
International Agreements—*Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong*, British White Paper (Sept. 26, 1984) 249
International Agreements: Two Treaties Between the United States and Italy—*Extradition Treaty with Italy*, Oct. 13, 1983, United States-Italy, S. TREATY DOC. NO. 39, 98th Cong., 2d Sess. (1984); *Treaty on Mutual Assistance in Criminal Matters*, Nov. 9, 1982, United States-Italy, S. TREATY DOC. NO. 25, 98th Cong., 2d Sess. (1984) 601
International Agreements: United States-Cuba Normalization of Immigration Procedures—*Communique* and *Minute of Implementation*, *reprinted in* 24 I.L.M. 32 (1985) 608
International Arbitration: Paris Court of Appeals Sets Aside Award Rendered in France—*Arab Republic of Egypt v. Southern Pacific Properties (Middle East), Ltd*, *reprinted in* 23 I.L.M. 1048 (1984) 263
International Banking: Risk Free Reserves for International Loans—49 Fed. Reg. 5,589, 12,193 to be codified at 12 C.F.R. §§ 20, 211, 263 (1984) 271
International Banking and Securities Law—*Wolf v. Banco Nacional de Mexico, S.A.*, 739 F.2d 1458 (9th Cir. 1984) 616
International Court of Justice—*Case Concerning Military and Paramilitary Activities in and Against Nicaragua* (Nicaragua v. United States), 1984 I.C.J. ____ (Judgment on Jurisdiction and Admissibility of Nov. 26, 1984) 622
International Court of Justice—*Interim Decision in the Case Concerning Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States)*, 1984 I.C.J. 4 (Interim Protection Order of May 10, 1984), *reprinted in* 23 I.L.M. 468 (1984) 280

International Trade: Rejection of Recommendation of Steel Import Regulation—*Carbon and Certain Alloy Steel Products*, Investigation No. TA-201-51, U.S. International Trade Commission Publication 1553 (July 1984) 287
Jurisdiction: Personal Jurisdiction over an Alien Corporation—*Helicopteros Nacionales de Colombia v. Hall*, 104 S. Ct. 1868 (1984) 630
Jurisdiction and Conflicts of Law—*The Bhopal Litigation* 637
Law of the Sea: Delimitation of the Gulf of Maine—*Case Concerning Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States)* 1984 I.C.J. ——, No. 67, slip. op. (Judgment of Oct. 12, 1984) 646
Taxation: Foreign Sales Corporations Replace Domestic International Sales Corporations—Tax Reform Act of 1984, Pub. L. No. 98-369, 98 Stat. 494 (1984) 293
Taxation: Repeal of the Thirty Percent Withholding Tax on Interest Paid to Foreigners—*Tax Reform Act of 1984*, Pub. L. No. 98-369, 98 Stat. 494 (1984) 303

Book Review

The Making of a State: Wuerttemberg 1593–1793, by James Allen Vann. *James A.R. Nafziger* 313

Subject Index—Volume 26

ANTITRUST

Commission of the European Communities Suspends Proceedings Against International Business Machines Corporation—3 Common Mkt. L.R. 147 (1984) 109

COMPARATIVE LAW

Critical Comparisons: Re-thinking Comparative Law. *Günter Frankenberg* 411

CONFLICT OF LAWS

Discovery Abroad Under Provisions of the Hague Convention—*Laker Airways Ltd. v. Pan Am World Airways, et al.*, Nos. 82-3362, 83-0416, 83-2791 (D.D.C. June 26, 1984), *reprinted in* 23 I.L.M. 748 (1984) 201

The Bhopal Litigation 637

CONSTITUTIONAL LAW

United States Takings Abroad—*Ramirez de Arellano v. Weinberger*, 745 F.2d 1500 (D.C. Cir. 1984), *petition for cert. filed*, 53 U.S.L.W. 3671 (U.S. Mar. 4, 1985) (No. 85-1398) 553

DISCOVERY

Discovery Abroad Under Provisions of the Hague Convention—*Laker Airways Ltd. v. Pan Am World Airways, et al.*, Nos. 82-3362, 83-0416, 83-2791 (D.D.C. June 26, 1984), *reprinted in* 23 I.L.M. 748 (1984) 201

DUAL NATIONALITY

Decision concerning the Question of Jurisdiction over Claims with Dual Nationality, Iran-United States Claims Tribunal, Case No. A/18, Apr. 6, 1984, *reprinted in* 23 I.L.M. 489 (1984) 208

EUROPEAN COMMUNITY LAW

Paris Bar Rule Violates Right of Establishment—*Ordre des Avocats Barreau de Paris v. Rechtsanwalt Otto Klopp*, 1985 Common Mkt. L.R. 99 562

EXECUTIVE AUTHORITY

Restriction of Travel to Cuba—*Regan v. Wald*, 104 S. Ct. 3026 (1984) 217

EXTRATERRITORIALITY

AVC Nederland B.V. v. Atrium Investment Partnership, 740 F.2d 149 (2d Cir. 1984); *United States v. Bank of Nova Scotia*, 740 F.2d 817 (11th Cir. 1984) 569

Australian Limitations on Foreign Judgments and Discovery—*Foreign Proceedings (Excess of Jurisdiction) Act*, No. 3, Austl. Acts (1984) 578

HUMAN RIGHTS

Jurisdiction over Foreign States under the Alien Tort Claims Act—*Siderman v. Argentina*, No. CV 82-1772-RMT (D. Cent. Cal. Mar. 7, 1985) (available Apr. 1, 1985, on LEXIS) 594

Operation Moses: The Israeli Airlift of Ethiopian Jews, Nov. 1984–Jan. 1985 585

Toward a Reformulation of International Refugee Law. *Jack I. Garvey* 483

IMMIGRATION

Immigration and Naturalization Service v. Stevic, 104 S. Ct. 2489 (1984) 225

INTERNAL SECURITY

Canadian Security Intelligence Act, ch. 21, 1984, Can. Stat. ____ 234

INTERNATIONAL AGREEMENTS

Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, British White Paper (Sept. 26, 1984) 249

Two Treaties Between the United States and Italy—*Extradition Treaty with Italy*, Oct. 13, 1983, United States-Italy, S. TREATY DOC. NO. 39, 98th Cong., 2d Sess. (1984); *Treaty on Mutual Assistance in Criminal Matters*, Nov. 9, 1982, United States-Italy, S. TREATY DOC. NO. 25, 98th Cong., 2d Sess. (1984) 601

United States-Cuba Normalization of Immigration Procedures—*Communique* and *Minute of Implementation*, *reprinted in* 24 I.L.M. 32 (1985) 608

INTERNATIONAL ARBITRATION

Paris Court of Appeals Sets Aside Award Rendered in France—*Arab Republic of Egypt v. Southern Pacific Properties (Middle East), Ltd.*, *reprinted in* 23 I.L.M. 1048 (1984) 263

INTERNATIONAL BANKING

Risk Free Reserves for International Loans—49 Fed. Reg. 5,589, 12,193 to be codified at 12 C.F.R. §§ 20, 211, 263 (1984) 271
Wolf v. Banco Nacional de Mexico, S.A., 739 F.2d 1458 (9th Cir. 1984) 616

INTERNATIONAL COURT OF JUSTICE

Case Concerning Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States), 1984 I.C.J. ____ (Judgment on Jurisdiction and Admissibility of Nov. 26, 1984) 622
Delimitation of the Gulf of Maine—*Case Concerning Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States)* 1984 I.C.J. ____, No. 67, slip. op. (Judgment of Oct. 12, 1984) 646
Interim Decision in the Case Concerning Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States), 1984 I.C.J. 4 (Interim Protection Order of May 10, 1984), *reprinted in* 23 I.L.M. 468 (1984) 280

INTERNATIONAL TRADE

Logic, Myth, and the International Economic Order. *Daniel K. Tarullo* 533
Rejection of Recommendation of Steel Import Regulation—*Carbon and Certain Alloy Steel Products*, Investigation No. TA-201-51, U.S. International Trade Commission Publication 1553 (July 1984) 287
The Trading Nation's Dilemma: The Functions of the Law of International Trade. *Kenneth W. Abbott* 501

JURISDICTION

The Bhopal Litigation 637
Decision concerning the Question of Jurisdiction over Claims with Dual Nationality, Iran-United States Claims Tribunal, Case No. A/18, Apr. 6, 1984, *reprinted in* 23 I.L.M. 489 (1984) 208
Personal Jurisdiction over an Alien Corporation—*Helicopteros Nacionales de Colombia v. Hall*, 104 S. Ct. 1868 (1984) 630

JURISPRUDENCE

Do Rules Say What They Do? From Ordinary Language to International Law. *Nicholas Onuf* 385
Ideals and Things: International Legal Scholarship and the Prisonhouse of Language. *James Boyle* 327
International Legal Education. *David Kennedy* 361

LAW OF THE SEA

Delimitation of the Gulf of Maine—*Case Concerning Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States)* 1984 I.C.J. ——, No. 67, slip. op. (Judgment of Oct. 12, 1984) 646

PERSISTENT OBJECTOR

The Approach of the Different Drummer: The Principle of the Persistent Objector in International Law. *Ted L. Stein* 457

POLITICAL QUESTION

Challenging Covert War: The Politics of the Political Question Doctrine. *David Cole* 155

REFUGEES

Operation Moses: The Israeli Airlift of Ethiopian Jews, Nov. 1984–Jan. 1985 585

Toward a Reformulation of International Refugee Law. *Jack I. Garvey* 483

SATELLITES

Selling Satellites: The Commercialization of LANDSAT. *Christopher C. Joyner and Douglas R. Miller* 63

SOVEREIGN IMMUNITY

Abandoning Restrictive Sovereign Immunity: An Analysis in Terms of Jurisdiction to Prescribe. *Michael Singer* 1

Defining a Sovereign for Immunity Purposes: Proposals to Amend the International Law Association Draft Convention. *Gabe S. Varges* 103

TAXATION

Foreign Sales Corporations Replace Domestic International Sales Corporations—Tax Reform Act of 1984, Pub. L. No. 98-369, 98 Stat. 494 (1984) 293

Repeal of the Thirty Percent Withholding Tax on Interest Paid to Foreigners—*Tax Reform Act of 1984*, Pub. L. No. 98-369, 98 Stat. 494 (1984) 303